

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

**FIFTH REPORT
OF THE IMPLEMENTATION MONITOR**

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APRIL 9, 2013

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I am pleased to submit to the Board of Supervisors my Fifth Report regarding the implementation of the recommendations set forth in the September 28, 2012 Report of the Citizens' Commission on Jail Violence (the "Commission").

BACKGROUND

Since submitting my Fourth Report to the Board of Supervisors on March 12, 2013, I have continued to monitor the efforts by the Los Angeles Sheriff's Department (the "Department") to implement the Commission's recommendations. I have had several conversations with the new Assistant Sheriff for the Custody Division, Terri McDonald, and numerous communications with the members of the Command staff responsible for implementing the Commission's recommendations. Assistant Sheriff McDonald advised me that she is undertaking a full assessment of the Custody Division's supervisory requirements in response to the Commission's findings and recommendations regarding the need for additional Custody supervisors.

In this most recent period, I have had several conversations with the Chief Executive's Office and Department personnel regarding the Department's plans for implementing the Commission's recommendations to enhance the training of Deputy Sheriffs and Custody Assistants. The Department's proposal for its Custody Division Training Bureau is now subject to further discussions between the Department and the Chief Executive's Office to address the Department's training needs given the budgetary constraints under which the County is operating.

I also had several conversations with Department personnel regarding their requests for additional resources for the Internal Affairs Bureau (IAB) and the Internal Criminal Investigations Bureau (ICIB) to address the Commission's recommendation to revamp the investigative system and the backlog of matters under investigation by those bureaus. The Department has provided additional support for their requests, which Consultants Joseph Brann and Joseph McGrath and I have discussed and evaluated. We anticipate having further discussions with the Department before we discuss the proposals with the Chief Executive Officer.

I also had two meetings and several telephonic and email communications with members of a working group formed by the Department to develop a rotation policy consistent with the Commission's recommendations to address the problem of destructive cliques. As a result of those meetings and communications, the Unit Commanders of the eight jail facilities each developed a rotation policy tailored to the particular configuration and inmate population of each institution. Each policy provides for rotations of key personnel as well as the line personnel who have regular contact with the inmates.

I also have worked with Department personnel to revise the Department's Force Manual to make it clearer and more user-friendly for Deputy Sheriffs and Custody Assistants. The editing and re-organization of the Force Manual are substantially complete, and the revised Manual will be submitted to the Sheriff and the Assistant Sheriffs for their approval this week.

Finally, at the Department's request, I reviewed the Department's Electronic Line Operations Tracking System (e-LOTS) and determined that it can be used to implement the Commission's recommendation 7.12 for an enhanced and comprehensive system to

track force reviews and investigations in lieu of the Operations Information Management system. The e-LOTS system is sufficiently robust to track force reviews and investigations, and the Department has issued a policy requiring all custody facilities to use e-LOTS to track their Use of Force packages to ensure that they are timely completed and reviewed.

I again briefed the Advisory Team established by the Board on the status of the implementation of the Commission's recommendations and received their feedback regarding the Department's implementation plans.¹

The Department implemented an additional three recommendations since my last Report.² As reflected in the summary chart set forth below, as of the date of this Report, the Department has implemented 31 of the Commission's 60 recommendations directed to the Department. It has partially implemented another 15 recommendations and is in the process of implementing another 14 recommendations. When the revision of the Force Manual is approved, the Department will have implemented another seven recommendations (five use of force recommendations and two disciplinary recommendations).

¹ The Advisory Team consists of representatives from the Association of Los Angeles Deputy Sheriffs ("ALADS"), the Professional Peace Officers' Association ("PPOA"), County Counsel, the Chief Executive's Office, and the Department.

² Two of the implemented recommendations (5.7 and 6.8) deal with the same subject; that is, developing a rotation policy to avoid destructive cliques. The third implemented recommendation (7.12) involves the use of the e-LOTS system to track force packages. A more detailed breakdown of the status of the Department's implementation of each recommendation is attached as Appendix 1 to this Report. A comparison reflecting the progress of the Department's implementation of the recommendations is set forth in Appendix 2 to this Report.

Category	Implemented³	Partially Implemented⁴	In progress⁵	Not started⁶	Total
Use of Force	4	5	3	0	12
Management	11	0	3	0	14
Culture	5	3	0	0	8
Personnel and Training	5	3	2	0	10
Discipline	5	4	6	0	15
Oversight	1	0	0	0	1
Total	31	15	14	0	60

IMPLEMENTATION STATUS

CHAPTER 3: USE OF FORCE

On January 1, 2013, the Department promulgated a new Use of Force Policy in a single Use of Force Manual (the “Force Manual”) that was distributed to each Deputy Sheriff and Custody Assistant and is also available on line. The revisions of the Force Manual, which will make it clearer and easier to use, have been substantially completed and will be submitted to the Sheriff and Assistant Sheriffs for their approvals this week.

³ “Implemented” means that the Department’s implementation of the recommendation has been reviewed and approved by the Monitor, and the reforms have been incorporated into jail operations.

⁴ “Partially Implemented” means that the Department has implemented the recommendation, but some additional steps are required to complete the implementation.

⁵ “In progress” means that the Department is assessing the policy, procedural and operation needs and/or is in the process of implementing the recommendation.

⁶ “Not started” means that the Department has not initiated, or just started the development of, an implementation plan.

Department personnel are required to acknowledge that they have read and understand the new Force Policy, and 98% of the Department's personnel have now received training in the fundamental principles set forth in the new policy.

The following summarizes the status of the Department's implementation of each of the Commission's specific Use of Force recommendations:

3.1. LASD should promulgate a comprehensive and easy-to-understand Use of Force Policy in a single document.

Partially implemented

The Department's Use of Force policies in the Manual of Policy and Procedures (the "MPP"), the Custody Division Manual, and the Court Services Manual are set forth in a single Force Manual that reflects (1) overall principles, including force prevention principles and an anti-harassment policy; (2) provisions providing guidance regarding use of force; (3) a list of approved weapons; and (4) requirements for the reporting of uses of force. The revised Force Manual will be clearer, better organized, and more user friendly.

3.2. LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy.

Implemented

The Department has created an Acknowledgement and Agreement Form that each Deputy Sheriff and Custody Assistant is required to sign.

3.3. All LASD personnel should be provided training on the new Use of Force Policy.

Implemented

The Department reports that as of April 8, 2013, 98% of sworn personnel have received training in the new Use of Force Policy. The remaining personnel on excused absences will be trained when they return to work.

3.4. The Department's Use of Force Policy should reflect a commitment to the principles of the Force Prevention Policy and prohibit inmate retaliation or harassment.

Implemented

The MPP and the Custody Division Manual set forth the principles of the Force Prevention Policy, and the Custody Division Manual prohibits retaliation against, or harassment of, inmates. All of these sections are included in the Force Manual.

3.5. LASD's Use of Force Policy should be based upon the objectively reasonable standard rather than the Situational Use of Force Options Chart.

Partially implemented

Sections 3-10/020.00 and 3-10/030.00 of the MPP reflect the objectively reasonable standard, and references to the Situational Use of Force have been deleted in the revised Manual. Pursuant to the Consultants' recommendation Section 3-10/030.00 of the MPP in the revised Force Manual includes references to the factors set forth by the United States Supreme Court in *Hudson v. McMillian*, 503 U.S. 1 (1992) relating to the use of force in a custody setting.

3.6. The Use of Force Policy should articulate a strong preference for planned, supervised, and directed force.

Partially implemented

The Force Prevention Policy set forth in the MPP and the Custody Division Manual generally reflects a preference for planned, supervised, and directed force. In addition, the Department has added a new provision to the Custody Division section in the revised Force Manual that reads as follows: “When force is required, every effort shall be made to plan, supervise, and direct force in an effort to control confrontations in a calm and professional manner.

3.7. The Use of Force Policy should account for the special needs populations in the jails.

Partially implemented

The Department has added a new provision to the Custody Division section in the Force Manual that reads as follows: “If a situation arises involving a special needs inmate, the appropriate mental health staff should be consulted, whenever possible, prior to the planned use of force.” In addition, there are provisions in the Force Manual relating to pregnant inmates and the Jail Mental Evaluation Team that further implement this recommendation.

3.8. PPI and FAST should be replaced with a single, reliable, and comprehensive data tracking system.

In progress

On March 28, 2013, the Department submitted a funding request to the Chief Executive’s Office for funding in the amount of \$3.0 million to upgrade the Personnel Performance Index (“PPI”). The request is under consideration by the Chief Executive’s Office.

3.9. Inmate grievances should be tracked in PPI by the names of LASD personnel.

In progress

The Department reports that it has started to implement this recommendation and expects that it will be able to track inmate grievances in PPI by deputies' and Custody Assistants' names by September. In the interim, it is tracking the grievances in FAST.

The FAST system can generate three different reports to track inmate grievances against individual deputies (and Custody Assistants). One report by employee name lists all inmate grievances against the Department employee; a second report by facility lists all grievances (with the employees' names) in a particular facility (primarily for use of the Unit Commander), and a third report by division lists all grievances (with the employees' names and number of grievances) in the Custody Division (primarily for the use of the Division Chief).

3.10. LASD should analyze inmate grievances regarding the use of force incidents.

Partially implemented

The Department has established the position of Risk Management Lieutenant in the Custody Training Bureau to implement this recommendation to analyze inmate grievances at the Custody Division level. On March 28, 2013, the Department formally submitted a request to the Chief Executive's Office for the funding of seven Compliance Lieutenants (one for the North and South facilities and one each for the other six jail facilities) who will, among other things, be responsible for analyzing inmates grievances in the facility, along with tracking force investigations and conducting investigations of Category 1 force incidents. (See Recommendation 7.8.) The request is under consideration by the Chief Executive's Office.

3.11. Statistical data regarding use of force incidents needs to be vigilantly tracked and analyzed in real time by the highest levels of LASD management.

Implemented.

Department personnel have provided me with daily and monthly statistical reports and monthly force analysis used by Department managers to track and analyze use of force incidents in the jails.

3.12. Department should purchase additional body scanners.

In progress

Although funding is available, and the Department previously reported a June 1, 2013 target date, the purchase of the additional body scanners has been delayed in the Internal Services Department. The Department reports a target date of December 1, 2013.

CHAPTER 4: MANAGEMENT

The Sheriff has appointed a new Assistant Sheriff who has assumed responsibility for the Custody Division and reports directly to the Sheriff. The Sheriff also has appointed a Chief of a new Internal Investigations Division, who also reports directly to the Sheriff. It is my understanding the Sheriff is undertaking a further re-organization of the Department and the Commander in charge of the new Inspectional Services Command will report to an Assistant Sheriff for Administrative & Professional Standards. These steps will help ensure the necessary accountability for the operations of the Custody Division, the Internal Investigations Division, and the Inspectional Services Command.

Set forth below are summaries of the Department's implementation of each of the Commission's Management recommendations.

4.1. The Sheriff must be personally engaged in oversight of the jails.

Implemented

Since the formation of the Commander Management Task Force in October 2011, the Sheriff has been personally directing the reform of the jails. He has assured me that he intends to remain engaged in the oversight of the jails through regular communications with the new Assistant Sheriff for Custody.

4.2. The Sheriff must hold his high level managers accountable for failing to address use of force problems in the jails.

In progress.

Since the Commission issued its report in September 2012, two managers who had responsibility for direct or indirect oversight of the jails during the time when many of the problems identified by the Commission occurred have retired, and the Undersheriff, who also had oversight responsibility for the jails at various times, has announced his retirement effective August 1, 2013. The Department reports that an administrative investigation remains on-going to determine if there is a basis for formal discipline against Department personnel. It expects to complete the investigation within 45 days.

4.3. The Undersheriff should have no responsibility for Custody operations or the disciplinary system.

Implemented

In January, the Sheriff issued "Sheriff's Bulletin #593" entitled "Executive Reporting Procedures" to implement this recommendation. Under the reorganization, each Assistant Sheriff reports directly to the Sheriff. IAB and ICIB now report to the

Sheriff through the recently appointed Chief of the Internal Investigations Division. In addition, the Undersheriff has announced his retirement from the Department, effective August 1, 2013.

- 4.4. The Department should create a new Assistant Sheriff for Custody position whose sole responsibility would be the management and oversight of the jails.**

Implemented.

The Sheriff has selected a new third Assistant Sheriff who will be responsible for only the Custody Division. She assumed her duties on March 18, 2013.

- 4.5. The Sheriff should appoint as the new Assistant Sheriff for Custody an individual with experience in managing a large corrections facility or running a corrections department.**

Implemented.

The Sheriff interviewed the top tier candidates and appointed a new Assistant Sheriff for Custody who has extensive experience in running a corrections department.

- 4.6. The Assistant Sheriff for Custody should report directly to the Sheriff.**

Implemented

“Sheriff’s Bulletin #593” entitled “Executive Reporting Procedures” provides that each of the Assistant Sheriffs, including the Assistant Sheriff for Custody, reports directly to the Sheriff.

- 4.7. The Commander Management Task Force should not be a permanent part of Custody management.**

Implemented

The Sheriff’s Bulletin #593 and the new organization charts do not include a role for the Commander Management Task Force in Custody management.

- 4.8. The Sheriff must regularly and vigilantly monitor the Department’s Use of Force in the jails.**

Implemented

Since at least the formation of the Commander Management Task Force in October 2011, the Sheriff has been monitoring the level of force in the jails. Again, he has assured me that he intends to remain engaged in oversight of the jails through regular communications with the new Assistant Sheriff for Custody.

4.9. The Department should implement SCIF [the Sheriff's Critical Incident Forum] on the Custody side to improve the accountability of jail supervisors.

Implemented

This recommendation has been implemented pursuant to a Custody Division Directive, dated December 13, 2012, issued by the Chief of the Custody Division. A Custody Division SCIF took place on February 12, 2013, to review statistics relating to the operations of the Custody Division.

4.10. Senior management needs to be more visible and engaged in Custody.

Implemented

The Department has amended the job descriptions in the Custody Division Manual so that they now require the Assistant Sheriff - Custody Division, the Custody Division Chief, the Area Commanders, and the Jail Captains to "maintain a visible presence within the [assigned] jail facilities to help ensure proper adherence to policy and the application of the Department's Core Values." Unit Commanders have advised me that they regularly walk through the jail facilities and senior management personnel have confirmed that they regularly visit the jail facilities.

4.11. Management should be assigned and allocated based on the unique size and needs of each facility.

In progress

The Department is analyzing the operations staff of each of the jail facilities and anticipates needing additional funding. The completion of the analysis has taken longer than expected and the Department now expects that the facilities assessment will be completed by October 2013.

4.12. LASD should create an Internal Audit and Inspection Division.

In progress

Initially, I received from the Department organization charts along with position descriptions for the personnel who would be assigned to a new Inspectional Service Command (“ISC”) for the Department. The Consultants and I met with the Department personnel charged with the responsibility for organizing this new command to discuss the personnel needs of the command. On February 15, 2013, the Department submitted a comprehensive Inspectional Services Command Proposal that included an Implementation Plan, a Proposed Audit and Inspection Plan, and a Duties and Staffing Proposal. The Consultants and I recommended that the Department clarify the implementation plan and focus the initial audit plan on the critical issues in the Department to determine the personnel needs for such an audit plan.

On March 8, the Department submitted a revised Implementation Plan, which the Consultants and I are reviewing. The Department is in the process of developing a Risk Assessment to rank the critical issues for purposes of developing an initial audit plan, which will determine the personnel needed to conduct the initial audits and inspections.

The Consultants and I will meet with the Department to review the Implementation Plan and the Risk Assessment, which will be the basis of the Department's request to the Chief Executive Officer for the initial funding to set up the Command.

Given the complexity of the Inspectional Services Command, it makes sense to set up the Command in stages, with an initial focus on the most important issues. I believe that it will take another 60 days to determine the personnel needed to set up the Command. The Department's request for funding for this command will be for the Board to decide based upon the advice of the Chief Executive Officer and taking into consideration the Consultants' assessments of the Department's proposed Command.

4.13. The Department should have a formal policy to address campaign contributions.

Implemented

On January 31, 2013, the Department issued revised Section 3-01/070.05 (Political Activity) and Section 3-01/070.07 (Prohibited Political Activity and Other Conflicts of Interest) of the MPP.

4.14. LASD should participate in collaborations such as the Large Jail Network that would enable it to learn about best practices and approaches in other systems.

Implemented

Although the Department joined the Large Jail Network, the meeting that was supposed be held in Aurora, Colorado, on March 17 to 19, 2013, was cancelled due to sequestration. The Department reports that four members of the Custody Division personnel will be attending the American Jail Association National Training Conference in May 2013.

CHAPTER 5: CULTURE

As noted in my earlier reports, the Department has emphasized respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody Division personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it has submitted to the Chief Executive's Office its proposal for a Custody Division Training Bureau that will provide additional training to current Custody deputies and Custody Assistants. It also has established a Dual Track Career Path that will provide deputies with an opportunity for a career in the Custody Division. The Department has also enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, each facility has developed a rotation policy taking into consideration its size, configuration, and inmate population.

Set forth below are summaries of the Department's implementation of each of the Commission's recommendations regarding the Department's culture in the Custody Division.

5.1. The Department must continue to implement reforms that emphasize respect for, engagement of, and communications with inmates.

Implemented

Based upon my conversations and meetings with the Sheriff and with members of the Command staff and Unit Commanders; my review of policies, directives, and reports; my tours of jail facilities; and input from the Consultants and outside observers, it is apparent that the Department is committed to implementing the reforms recommended by

the Commission, enhancing respect for and communications with inmates, and changing the culture in the Custody Division. This is reflected in the principles set forth in the Force Prevention Policy, the Anti-harassment Policy, the Education Based Incarceration program, the numerous Town Hall meetings with inmates, the Department's responses to inmate grievances, and its progress in implementing the Commission's recommendations.

5.2. The Department's Force Prevention Policy should be stressed in Academy training and reiterated in continuing Custody Division training.

Partially implemented

This recommendation has been implemented for new deputies, and 98% of the existing staff has received training in the new Use of Force Policy, which incorporates the Force Prevention Principles. What remains is setting up a formal training bureau in the Custody Division to enhance continuing training of the existing staff.

As discussed below under Recommendation 6.3, the Department is in the process of creating a Custody Division Training Bureau that will provide enhanced continuing training to current Custody personnel, supervisors, and Training Officers on all aspects of Custody Divisions operations, including the principles of the Force Prevention Policy.

5.3. The Department should enhance its ethics training and guidance in the Academy as well as in continuing Custody Division training.

Partially implemented

Academy training covers "Department Ethics and Standards," including "CORE Values" and "Critical Decision Making" and the Jail Operations Continuum covers "Valued Communications/ ICIB" and "Value Based Decision Making." Additional ethics training will be provided to the existing staff through the Custody Division

Training Bureau the Department is creating. In the interim, the Department will roll-out blocks of training to enhance ethics training for the existing staff.

5.4. The Department must make Custody a valued and respected assignment and career.

Implemented

Sheriff's Bulletin # 594, dated February 1, 2013, announced that the Department has established a Dual Track Career Path that allows new recruits to select a career in Custody and allows Deputy Sheriffs currently assigned to Custody to remain in Custody assignments. It also allows Deputy Sheriffs and supervisors to promote up to the position of Chief of the Custody Division without going out to a patrol assignment.

5.5. Senior leaders must be more visible in the jails.

Implemented.

The Department has amended the job descriptions in the Custody Division Manual so that they now require the Assistant Sheriff - Custody Division, the Custody Division Chief, the Area Commanders, and the Jail Captains to "maintain a visible presence within the [assigned] jail facilities to help ensure proper adherence to policy and the application of the Department's Core Values." (See Recommendation 4.11 above.)

5.6. LASD must have a firm policy and practice of zero tolerance for acts of dishonesty that is clearly communicated and enforced.

Implemented

New disciplinary guidelines were published on February 17, 2013, that enhanced the penalties for dishonesty.

5.7. The Department should have a sensible rotation policy to protect against the development of troubling cliques.

Implemented

As a result of my meetings with a Working Group formed by the Department, it was decided that, instead of a single rotation policy for the entire Custody Division, the Unit Commanders would develop their own rotation policies for each of the facilities. The policies would rotate deputies who regularly have contact with inmates, including deputies in “key positions,” among job assignments to address the Commission’s concern about deputy cliques, taking into consideration the facility’s size, configuration and inmate population to ensure the safety and security of the staff and inmates. Each of the Unit Commanders has now issued a unit directive rotating deputies among job assignments in each facility.

5.8. LASD should discourage participation in destructive cliques.

Partially implemented

The subject of destructive cliques is covered for new Deputy Sheriffs in the Jail Operations Continuum. Additional training will be provided to other Custody personnel through the Custody Division Training Bureau that the Department is in the process of creating. The Department recently announced its intention to terminate the employment of several deputies for their participation in such a clique.

CHAPTER 6: PERSONNEL AND TRAINING

The Department has submitted to the Chief Executive’s Office a proposal to create a Custody Division Training Bureau that will develop a robust post-Academy training program for both new and existing personnel. Through the hiring of a new Assistant Sheriff for the Custody Division, the Custody Division Training Bureau, and the Dual Track Career Path, the Department is moving towards the long-term goal of establishing a separate Custody Division staffed by well-trained personnel who want to

have a career in Custody. The Custody Division still needs more supervisors and an increase in the ratio of Custody Assistants to Deputy Sheriffs.

The Department's implementation of the Commission's specific Personnel and Training recommendations are set forth below.

6.1. The Department should review and revise its personnel and training procedures to reflect Custody's status as a valued and important part of the Department.

Partially implemented

The Dual Track Career Path was established on February 1, 2013. In addition, the Department has expanded its Custody training through the Jail Operation Continuum, and it is in the process of creating a Custody Division Training Bureau that will develop a comprehensive training program for the Custody Division.

6.2. The Department should develop and implement a long-range and steady hiring plan based upon normal attrition.

Implemented

A Sworn Vacancy Projection submitted by Personnel Administration to the Commander Management Task Force on October 2, 2012 reflects "a strategic plan to consistently hire deputies through 2017" to fill vacancies and hire additional deputies based upon normal attrition. It will be subject to the availability of the funding in the future to hire new deputies.

6.3. Deputies and supervisors should receive significantly more Custody specific training overseen by the Department's Leadership & Training Division.

Partially implemented

The Department has implemented this recommendation for new deputies and is in the process of implementing this recommendation for experienced deputies and

supervisors. Consistent with the long-term goal of setting up a separate Custody Division (*see* Recommendation 6.10) and the Dual Track Career Path, the Department has proposed to significantly enhance the training of Custody Division personnel through the creation of a new Custody Division Training Bureau, which will oversee post-Academy training of Custody Division personnel.

As noted in my Third Report, I reviewed the Department's proposed organization charts for a new Custody Division Training Bureau along with position descriptions for the supervisors and Bonus Deputies who would be responsible for overseeing and conducting the post-Academy training for Custody personnel. After meetings and telephone conversations with the Department and the Consultants, the Department accepted the Consultants' assessment of the Department's operational needs and provided me with a new organization chart that reflects these assessments.

I submitted the new organization chart to the Chief Executive's Office and had follow-up discussions with the Chief Executive's Office and the Department regarding the Department's staffing requests. At this point, the Chief Executive Officer "is reviewing the Department's proposal and consulting with the Sheriff on position justification and operational logistics."

The Department's funding request for this Bureau will ultimately be for the Board to decide based upon the advice of the County's Chief Executive Officer and taking into consideration the Consultants' assessments of the Department's proposed Bureau.

6.4. There should be a meaningful probationary period for new deputies in Custody.

Implemented

Effective January 11, 2013, the Custody Division Directive 12-005 provides that “at the completion of the employee’s sixth month” of employment, the shift Lieutenant will be conducting “a thorough inquiry of the employee’s personnel performance.” Thereafter, “three or four weeks prior to the employee’s one year anniversary the Unit Commander or designee shall conduct another personnel performance review and schedule a face to face meeting.” Before an employee can complete probation, the Unit Commander is supposed to “draft a memorandum to memorialize the employee’s successful completion of the probationary period.”

6.5. The number of supervisors to deputies should be increased and the administrative burdens on Custody supervisors should be minimized.

In progress

The new Assistant Sheriff for the Custody Division reports that she concurs with the Commission’s recommendation that the Department needs additional supervisors. She is in the process of conducting a full assessment of the Custody Division’s supervision needs to determine where there Division needs additional sergeants and lieutenants.

6.6. The Department should allow deputies to have a career in Custody and take steps in the interim to decrease the length of new deputy assignments to Custody.

Implemented

The Dual Track Career Path established on February 1, 2013, allows deputies to have a career in Custody and to promote from within the division.

6.7. The Department should utilize more Custody Assistants.

In progress

Initially, the Department intends to freeze 81 Deputy Sheriff positions to achieve the 65/35 ratio provided in the Memorandum of Understanding with the Deputy Sheriffs' union ALADS. The Department plans to conduct a needs assessment after it has had experience with the 65/35 ratio to determine which other positions currently staffed by Deputy Sheriffs can be handled by Custody Assistants without jeopardizing security and safety in the jails. Any change in the 65/35 ratio would be subject to a "meet and confer" obligation with ALADS.

6.8. Rotations within and among proximate facilities should be implemented.

Implemented

As discussed above (see Recommendation 5.7), the Department has implemented rotation policies in each of the facilities. It reports that it was not able to implement a voluntary rotation among the north county facilities, and that it would need the agreement of the deputies' union to implement rotations among the facilities.

6.9. The Department's Mission Statement should be changed to reflect the importance of Custody.

Implemented

6.10. The Department should create a separate Custody Division with a professional workforce.

In progress

This is a long-term goal that the Department has begun to address. The Sheriff has selected a new Assistant Sheriff for the Custody Division and implemented the Dual Track Career Path on February 1, 2013. Establishing a Custody Division Training

Bureau and increasing the ratio of Custody Assistants to Deputy Sheriffs will further implement this recommendation, but given the number of deputies who are hired each year, it will take several years before the Custody Division could be staffed exclusively with new deputies who want careers in Custody and all new deputies who want careers in patrol could go directly to patrol.

CHAPTER 7: DISCIPLINE

The Department is in the process of revamping its investigative and disciplinary system, which will increase the number of force investigations by the Internal Affairs Bureau. The Sheriff has created an Internal Investigations Division and appointed a Chief of the Division to oversee the Internal Affairs Bureau and the Internal Criminal Investigations Bureau. The Department also has enhanced the penalties for dishonesty and excessive force. The Custody Force Review Committee is rigorously reviewing Use of Force Packages and the Department has a plan for assigning a Compliance Lieutenant to each jail facility, for which it is seeking funding. Finally, the Department's policies on the review of video tapes by deputies and the separation of deputies following force incidents will be clearer in the revised Manual.

Set forth below are summaries of the Department's implementation of each of the Commission's Discipline recommendations.

7.1. The investigative and disciplinary system should be revamped.

In progress

The Department is in the process of implementing this recommendation. I have had a number of meetings with a Commander from the Department regarding this

recommendation and we have agreed on revamping the investigative system so that the IAB conducts all Administrative Investigations of force incidents involving an actual injury to inmates in addition to the review and investigation of all force incidents involving serious injuries (that is, Category 2 and 3 force incidents). This revised investigative system will require additional IAB investigators, which will involve a funding request from the Department.

7.2. The CFRC [Custody Force Review Committee] should monitor Force Packages for trends and concerns and the performance of supervisors.

Implemented

One of the Consultants attended CFRC meetings on “two different occasions and he watched the process of evaluation and follow-up related to the incidents involving several different force incidents.” He advised me that he was “impressed with the manner in which candid and direct examinations of Captains, Lieutenants, and Sergeants [who were] responsible for [the] force incidents takes place.” The CFRC assesses, among other things, “whether the force response was reasonable to the threat perceived” and “whether there may have been a force response of lesser magnitude more appropriate to the threat.” He further reports that “[i]n my experience, the establishment of standard and expectations by the executive management is the first step in changing a culture. The CFRC is clearly a big part of that proposition as it pertains to the use of force in the jails.”

I attended a CFRC meeting on March 13, 2013, and also was impressed with the depth of analysis and the way in which the CFRC holds the unit supervisors responsible for the quality of their force reviews.

- 7.3. Deputies should be required to provide a timely written report of force incidents and not be allowed to review video tape footage prior to the completion of that report or any interviews.**

Partially implemented

The revised Force Manual (Section 3-10/100.00 of the MPP), will clarify these requirements.

- 7.4. Deputies involved in Significant Force incidents should be separated and not permitted to talk to each other until they have provided a written statement or have been interviewed by investigators.**

Partially implemented

The revised Force Manual (Section 3-10/100.00 of the MPP), will clarify these requirements.

- 7.5. IAB and ICIB should be part of an Investigation Division under a Chief who would report directly to the Sheriff.**

Implemented

The Department implemented this recommendation on March 1, 2013, effective March 3, 2013.

- 7.6. IAB should be appropriately valued and staffed by personnel that can effectively carry out the sensitive and important work of that bureau.**

Partially implemented

The Department has provided information showing that IAB investigators have often been promoted from IAB. The Department still needs to increase the number of IAB investigators. The Department has submitted proposals to increase the staffing for the Internal Affairs Bureau and the Internal Criminal Investigations Bureau, which the Consultants and I have discussed with the Department. The Department has provided

further support for these proposals, which the Consultant and I have evaluated and are planning to discuss further with the Department.

7.7. The Disciplinary Guidelines should be revised to establish increased penalties for excessive force and dishonesty.

Implemented

The Department has implemented this recommendation by enhancing penalties for excessive force and dishonesty.

7.8. Each jail should have a Risk Manager to track and monitor use of force investigations.

In progress

The Department has submitted a request to the Chief Executive's Office for the funding of seven additional Compliance Lieutenant positions. These Lieutenants would conduct Administrative Investigations of Category 1 Force Incidents, analyze inmate grievances in each facility, and monitor and track force investigations. The Chief Executive's Office is in the process of evaluating the request.

7.9. Force investigations should not be conducted by deputies' supervisors.

In progress

Under the revamped investigative system, if the Unit Commander determines that a use of force may have violated Department policy or involved misconduct, the Administrative Investigation of a Category 2 Force Incident (involving injuries to inmates) will be conducted by the Internal Affairs Bureau and a Category 1 Force Incident (no injury) will be conducted by the Compliance Lieutenants who will not be supervising any of the deputies.

7.10. Captains should not reduce charges or hold penalties in abeyance for use of force, dishonesty, or failure to report force incidents.

Partially implemented

The Department's penalty guidelines effective February 17, 2013, require suspensions days (that is, penalties without pay), and preclude Education Based Discipline (that is, holding suspension days in abeyance), for dishonesty, excessive use of force, or failure to report force. The Department is considering a policy that will require Captains to seek approvals from an Assistant Sheriff prior to modifying the charges and/or discipline for dishonesty, excessive force, or failure to report force, which the Department has advised me is a meet and confer issue with deputies' union.

7.11. The Department should vigorously investigate and discipline off-duty misconduct.

Implemented

The Department has provided me with a report of the results of investigations and the discipline imposed for off-duty misconduct from the beginning of the second quarter of 2011 through the end of the second quarter of 2012, which confirms that this recommendation has been implemented.

7.12. The Department should implement an enhanced and comprehensive system to track force reviews and investigations.

Implemented

The Department has demonstrated for me that the Electronic Line Operations Tracking System (e-LOTS) is a comprehensive system that can be used to track force reviews and investigations. It has now implemented a policy that requires all custody facilities to use e-LOTS to track Use of Force packages. Each Unit Commander is required to "ensure that all necessary information about each force incident [is] entered

into e-LOTS prior to the end of the shift in which the incident occurred,” and the Unit Commander or Operations Lieutenant is required to track in e-LOTS on a weekly basis all force reviews and contact the appropriate supervisor “if the preparation or review of the Force Package is overdue.”

7.13. Inmate Complaints should be tracked by deputies’ names in PPI.

In progress

The Department now anticipates that it will be able to track inmate grievances by deputies’ names in PPI by September 2013. As noted above, in the interim the Department is tracking the grievances by deputies’ names in FAST.

7.14. The inmate grievance process should be improved and include added checks and oversight.

In progress

The Department is working to enhance the inmate grievance process, including an electronic system for inmates to submit grievances and for tracking the Department’s handling of the grievances.

7.15. The use of lapel cameras as an investigative tool should be broadened.

In progress

In response to the recommendation of the Board of Supervisors, and also the Commission’s encouragement, the Department “conducted a test and evaluation of representative forms of PVRDs [“Personal Video Recording Devices”] within MCJ and TTCF in order to assess the feasibility of implementing a larger scale deployment of PVRD technology at LASD.” The Department’s report “recommends a deployment of PVRDs exclusively at Men’s Central Jail due to its prominence, historically higher liability operation, hazardous inmate classifications and overall impact such a

deployment would have on the entirety of the Department.” Taking into consideration the considerable potential costs, the Department recommends an initial deployment that is “manageable in size, scalable in scope and should necessitate a minimal need for additional infrastructure upgrades.” The Report also identifies several issues that still need to be addressed in the development and implementation of a PVRD policy, including working with the unions to gain acceptance of the use of the technology, whether it is a voluntary or mandatory program, and “cost model and options for network infrastructure versus cloud storage solutions.”

CHAPTER 8: OVERSIGHT

8.2. The Department should report regularly to the Board of Supervisors on use of force and the status of Custody recommendations.

Implemented

Since the formation of the Commander Management Task force in October 2011, the Sheriff has regularly reported to the Board on the use of force in the jails and the implementation of the Commission’s recommendations.

CONCLUSION

The Sheriff and the Department have continued to fully cooperate with me and the Department has continued to make substantial progress in reforming its Custody operations. After the Department completes the revision of the Force Manual, which complete the implementation of seven recommendations, implementation of most of the remaining recommendations will involve resource allocations and funding decisions.

Appendix 1

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

	NO.	RECOMMENDATION	IMPLEMENTATION STATUS				COMMENTS
			IMPLEMENTED (I)	PARTIAL (P)	IN PROGRESS (IP)	NOT STARTED (NS)	
USE OF FORCE	3.1	Comprehensive and easy-to-understand Use of Force policy in single manual		X			LASD implemented January 1, 2013. Subject to further manual revisions.
	3.2	LASD personnel should be required to read and understand the new UOF policy	X				LASD implemented January 1, 2013.
	3.3	LASD personnel should receive training on the new UOF policy	X				On-going
	3.4	The Use of Force policy should reflect Force Prevention and anti-retaliation policies	X				LASD implemented January 1, 2013.
	3.5	The Use of Force policy should be based upon objectively reasonable standard		X			LASD implemented January 1, 2013. Subject to further manual revisions.
	3.6	The Use of Force policy should reflect preference for planned, supervised, and directed force		X			Subject to further manual revisions.
	3.7	The Use of Force policy should account for special needs populations		X			LASD implemented January 1, 2013. Subject to further manual revisions.
	3.8	LASD should have a single, reliable and comprehensive data tracking system			X		Funding request submitted by LASD
	3.9	Inmate grievances should be tracked in PPI by names of LASD personnel			X		Estimated completion date of September 2013.
	3.10	LASD should analyze inmate grievances regarding use of force incidents		X			Implemented at Division level. In progress at Unit level.
	3.11	Use of force statistical data must be tracked and analyzed in real time by management	X				On-going
	3.12	LASD should purchase additional body scanners			X		Funding authorized
12 USE OF FORCE RECOMMENDATIONS:			4	5	3	0	

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

	NO.	RECOMMENDATION	IMPLEMENTATION STATUS				COMMENTS
			IMPLEMENTED (I)	PARTIAL (P)	IN PROGRESS (IP)	NOT STARTED (NS)	
MANAGEMENT	4.1	Personal engagement by Sheriff in oversight of jails	X				On-going
	4.2	High level managers must be accountable for failing to address use of force problems			X		Administrative investigations on-going.
	4.3	The Undersheriff should not have any responsibility for custody or discipline	X				Sheriff's Bulletin issued (January 7, 2013)
	4.4	LASD should create a new Assistant Sheriff position for Custody	X				New Assistant Sheriff for Custody appointed.
	4.5	The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	X				New Assistant Sheriff for Custody appointed.
	4.6	The Custody Assistant Sheriff should report directly to the Sheriff	X				Sheriff's Bulletin issued (January 7, 2013)
	4.7	The Commander Management Task Force should not be a part of Custody management	X				Sheriff's Bulletin issued (January 7, 2013)
	4.8	The Sheriff must monitor the use of force in the jails	X				On-going
	4.9	LASD should utilize the Sheriff's Critical Incident Forum (SCIF) in Custody	X				December 13, 2012. Custody Division Directive.
	4.10	Senior management must be more visible in the jails	X				Position description amended.
	4.11	Operations support should be allocated based unique needs of each facility			X		Facilities assessment expected within 30 days. Funding requested.
	4.12	LASD should created an Internal Audit and Inspection Division under a single Chief			X		Funding requested
	4.13	LASD should have a policy regarding campaign contributions	X				Implemented January 31, 2013
	4.14	LASD should participate in the Large Jail Network	X				Attending March meeting
14 MANAGEMENT RECOMMENDATIONS:			11	0	3	0	

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

	NO.	RECOMMENDATION	IMPLEMENTATION STATUS				COMMENTS
			IMPLEMENTED (I)	PARTIAL (P)	IN PROGRESS (IP)	NOT STARTED (NS)	
CULTURE	5.1	LASD must emphasize respect for, and communications with, inmates	X				On-going
	5.2	Force prevention policy should be stressed in Academy and Custody Division training		X			On-going for new deputies; in progress for existing staff
	5.3	Ethics training should be enhanced in Academy and Custody Division training		X			On-going for new deputies; in progress for existing staff
	5.4	Custody should be a valued and respected assignment and career	X				Dual track implemented February 1, 2013.
	5.5	Senior leaders must be more visible in the jails	X				Position description amended.
	5.6	LASD must have a zero tolerance policy for acts of dishonesty	X				Revised Guidelines effective 2/17
	5.7	LASD should have a sensible rotation policy	X				Rotation implemented at unit level
	5.8	LASD should discourage participation in cliques		X			On-going for new deputies; in progress for existing staff
	8 CULTURE RECOMMENDATIONS:		5	3	0	0	

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

PERSONNEL AND TRAINING	NO.	RECOMMENDATION	<div> <div>IMPLEMENTED (I)</div> <div>PARTIAL (P)</div> <div>IN PROGRESS (IP)</div> <div>NOT STARTED (NS)</div> </div>				COMMENTS
	6.1	LASD should revise its policies to reflect Custody's importance to Department		X			Dual track implemented February 1, 2013; Custody Training Bureau in progress.
	6.2	LASD should develop and implement a long-range and steady hiring plan	X				October 2, 2012 Sworn Hiring Projection Through 2017. Subject to funding.
	6.3	Custody personnel should receive significantly more Custody-specific training		X			Expanded Jail Operations and facility training for new deputies. Funding requested for Custody Training Bureau.
	6.4	There should be a meaningful probationary period for Custody deputies	X				January 9, 2013 Probationary Period Memorandum.
	6.5	LASD should increase the number of Custody supervisors			X		Funding requested
	6.6	LASD should provide for careers in custody	X				Dual track implemented February 1, 2013.
	6.7	LASD should utilize more custody assistants			X		Short term: freeze 81 positions to achieve 65/35 ratio Long term: complete assessment after achieving 65/35 ratio. Meet and confer issue.
	6.8	LASD should implement rotations within and among proximate facilities	X				Rotation of key positions needs to be assessed
	6.9	LASD should change its Mission Statement to reflect importance of Custody	X				
	6.10	LASD should create a separate Custody Division		X			Short term: Dual track implemented February 1, 2013.
10 PERSONNEL & TRAINING RECOMMENDATIONS:			5	3	2	0	

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

	NO.	RECOMMENDATION	IMPLEMENTATION STATUS				COMMENTS
			IMPLEMENTED (I)	PARTIAL (P)	IN PROGRESS (IP)	NOT STARTED (NS)	
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped			X		Funding requested
	7.2	The CFRC should monitor force packages	X				Risk Management Lieutenant also designated to monitor force packages
	7.3	Preclude deputies from reviewing videos before reporting use of force		X			LASD implemented January 1, 2013. Subject to further manual revisions.
	7.4	Separate deputies involved in significant use of force incidents		X			LASD implemented January 1, 2013. Subject to further manual revisions.
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	X				Implemented March 1, 2013
	7.6	IAB should be appropriately valued		X			Promotions for IAB personnel. Funding requested for additional IAB positions.
	7.7	There should be enhanced penalties for excessive force and dishonesty	X				Revised Guidelines 2/17
	7.8	There should be a Risk Manager assigned to each custody facility			X		Funding requested
	7.9	Force investigations should not be conducted by deputies' supervisors			X		
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance		X			Revised Guidelines 2/17
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	X				On-going
	7.12	LASD should have an enhanced system to track force investigations	X		X		Implemented policy to use e-LOTS.
	7.13	Inmate use of force complaints should be tracked in PPI			X		Short-term: Tracked in FAST. Sept 2013: Tracked in PPI
	7.14	LASD should improve the inmate grievance process			X		
	7.15	Increased use of Lapel Cameras			X		Short-term: Pilot program. Funding requested
15 DISCIPLINE RECOMMENDATIONS:			5	4	7	0	

**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

NO.	RECOMMENDATION	IMPLEMENTED (I) PARTIAL (P) IN PROGRESS (IP) NOT STARTED (NS)				COMMENTS

OVERSIGHT	8.2 The Sheriff should regularly report to the Board of Supervisors	X				On-going
	1 OVERSIGHT RECOMMENDATION:	1	0	0	0	

TOTAL CCJV RECOMMENDATIONS	31	15	15	0
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**IMPLEMENTATION OF CCJV RECOMMENDATIONS
APRIL 2013 STATUS REPORT**

CCJV CATEGORY	IMPLEMENTED (I)	PARTIAL (P)	IN PROGRESS (IP)	NOT STARTED (NS)	TOTAL
USE OF FORCE	4	5	3	0	12
MANAGEMENT	11	0	3	0	14
CULTURE	5	3	0	0	8
PERSONNEL AND TRAINING	5	3	2	0	10
DISCIPLINE	5	4	7	0	16
OVERSIGHT	1	0	0	0	1
TOTAL SHERIFF RESPONSIBLE CCJV RECOMMENDATIONS	31	15	15	0	61

DEFINITIONS

IMPLEMENTED (I)

The Department's implementation has been reviewed and approved by the Monitor, and reforms have been incorporated into operations.

PARTIAL (P)

The Department has implemented the recommendation, but some additional steps are required to complete the implementation.

IN PROGRESS (IP)

The Department is assessing policy, procedural, and operational needs and/or is in process of implementing recommendation.

NOT STARTED (NS)

The Department has not initiated, or just started the development of, an implementation plan.

Appendix 2

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
USE OF FORCE	3.1	Comprehensive and easy-to-understand Use of Force policy in single manual	Partial	NC	NC	NC
	3.2	LASD personnel should be required to read and understand the new UOF policy	Implemented	NC	NC	NC
	3.3	LASD personnel should receive training on the new UOF policy	Implemented	NC	NC	NC
	3.4	The Use of Force policy should reflect Force Prevention and anti-retaliation policies	Implemented	NC	NC	NC
	3.5	The Use of Force policy should be based upon objectively reasonable standards	Partial	NC	NC	NC
	3.6	The Use of Force policy should reflect preference for planned, supervised, and directed force	Partial	NC	NC	NC
	3.7	The Use of Force policy should account for special needs populations	Partial	NC	NC	NC
	3.8	LASD should have a single, reliable and comprehensive data tracking system	Not started	NC	NC	In progress
	3.9	Inmate grievances should be tracked in PPI by names of LASD personnel	In progress	NC	NC	NC
	3.10	LASD should analyze inmate grievances regarding use of force incidents	Partial	NC	NC	NC
	3.11	Use of force statistical data must be tracked and analyzed in real time by management	Implemented	NC	NC	NC
	3.12	LASD should purchase additional body scanners	In progress	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
MANAGEMENT	4.1	Personal engagement by Sheriff in oversight of jails	Implemented	NC	NC	NC
	4.2	High level managers must be accountable for failing to address use of force problems	In progress	NC	NC	NC
	4.3	The Undersheriff should not have any responsibility for custody or discipline	Implemented	NC	NC	NC
	4.4	LASD should create a new Assistant Sheriff position for Custody	In progress	Implemented	NC	NC
	4.5	The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	In progress	Implemented	NC	NC
	4.6	The Custody Assistant Sheriff should report directly to the Sheriff	Implemented	NC	NC	NC
	4.7	The Commander Management Task Force should not be a part of Custody management	Implemented	NC	NC	NC
	4.8	The Sheriff must monitor the use of force in the jails	Implemented	NC	NC	NC
	4.9	LASD should utilize the Sheriff's Critical Incident Forum (SGIF) in Custody	Implemented	NC	NC	NC
	4.10	Senior management must be more visible in the jails	Implemented	NC	NC	NC
	4.11	Operations support should be allocated based unique needs of each facility	In progress	NC	NC	NC
	4.12	LASD should created an Internal Audit and Inspection Division under a single Chief	In progress	NC	NC	NC
	4.13	LASD should have a policy regarding campaign contributions	In progress	Implemented	NC	NC
	4.14	LASD should participate in the Large Jail Network	Implemented	NC	NC	NC
CULTURE	5.1	LASD must emphasize respect for, and communications with, inmates	Implemented	NC	NC	NC
	5.2	Force prevention policy should be stressed in Academy and Custody Division training	Partial	NC	NC	NC
	5.3	Ethics training should be enhanced in Academy and Custody Division training	Partial	NC	NC	NC
	5.4	Custody should be a valued and respected assignment and career	In progress	Implemented	NC	NC
	5.5	Senior leaders must be more visible in the jails	Implemented	NC	NC	NC
	5.6	LASD must have a zero tolerance policy for acts of dishonesty	In progress	NC	Implemented	NC
	5.7	LASD should have a sensible rotation policy	In progress	Partial	NC	Implemented
	5.8	LASD should discourage participation in cliques	Partial	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

PERSONNEL AND TRAINING	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
	6.1	LASD should revise its policies to reflect Custody's importance to Department	In progress	Partial	NC	NC
	6.2	LASD should develop and implement a long-range and steady hiring plan	Implemented	NC	NC	NC
	6.3	Custody personnel should receive significantly more Custody-specific training	Partial	NC	NC	NC
	6.4	There should be a meaningful probationary period for Custody deputies	Implemented	NC	NC	NC
	6.5	LASD should increase the number of Custody supervisors	Not started	NC	NC	In progress
	6.6	LASD should provide for careers in custody	In progress	Implemented	NC	NC
	6.7	LASD should utilize more custody assistants	In progress	NC	NC	NC
	6.8	LASD should implement rotations within and among proximate facilities	In progress	Partial	NC	Implemented
	6.9	LASD should change its Mission Statement to reflect importance of Custody	Implemented	NC	NC	NC
	6.10	LASD should create a separate Custody Division	In progress	Partial	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped	In progress	NC	NC	NC
	7.2	The CFRC should monitor force packages	Implemented	NC	NC	NC
	7.3	Preclude deputies from reviewing videos before reporting use of force	Partial	NC	NC	NC
	7.4	Separate deputies involved in significant use of force incidents	Partial	NC	NC	NC
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	In progress	NC	Implemented	NC
	7.6	IAB should be appropriately valued	In progress	Partial	NC	NC
	7.7	There should be enhanced penalties for excessive force and dishonesty	In progress	NC	Implemented	NC
	7.8	There should be a Risk Manager assigned to each custody facility	In progress	NC	NC	NC
	7.9	Force investigations should not be conducted by deputies' supervisors	In progress	NC	NC	NC
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance	In progress	NC	Partial	NC
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	Implemented	NC	NC	NC
	7.12	LASD should have an enhanced system to track force investigations	In progress	NC	NC	Implemented
	7.13	Inmate use of force complaints should be tracked in PPI	In progress	NC	NC	NC
	7.14	LASD should improve the inmate grievance process	In progress	NC	NC	NC
	7.15	Increased use of Lapel Cameras	In progress	NC	NC	NC
OVERSIGHT	8.2	The Sheriff should regularly report to the Board of Supervisors	Implemented	NC	NC	NC

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

**FIFTH REPORT
OF THE IMPLEMENTATION MONITOR
EXECUTIVE SUMMARY**

RICHARD E. DROOYAN

APRIL 9, 2013

FIFTH REPORT OF THE IMPLEMENTATION MONITOR

EXECUTIVE SUMMARY

INTRODUCTION

Since my Fourth Report to the Board of Supervisors last month, the Department has implemented another three recommendations of the Citizens' Commission on Jail Violence (the "Commission") and began to implement two other recommendations that it had not started. Two of the implemented recommendations (5.7 and 6.8) deal with developing a rotation policy to avoid destructive cliques and the third implemented recommendation (7.12) involves the use of the e-LOTS system to track force packages.

As reflected in the chart below, the Department has now implemented 31 of the Commission's 60 recommendations directed to the Department. It has partially implemented another 15 and is in the process of implementing another 14.¹

Category	Implemented	Partially Implemented	In progress	Not started	Total
Use of Force	4	5	3	0	12
Management	11	0	3	0	14
Culture	5	3	0	0	8
Personnel and Training	5	3	2	0	10
Discipline	5	4	6	0	15
Oversight	1	0	0	0	1
Total	31	15	14	0	60

¹ The Appendix attached to this summary reflects the implementation status of each of the recommendations as of my Second Report (January 22, 2013), my Third Report (February 12, 2013), my Fourth Report (March 12, 2013), and my Fifth Report (April 9, 2013).

USE OF FORCE

Although the status of the Department's implementation of the Commission's Use of Force Recommendations is largely unchanged, the revisions of the Use of Force Manual (the "Force Manual") to make it clearer and more "user-friendly" are substantially complete and awaiting approvals by the Sheriff and the Assistant Sheriffs. The revisions to the Force Manual will complete the implementation of another five use of force recommendations (and another two disciplinary recommendations). The Department will then have a readily accessible, easier to use Force Manual that includes the Force Prevention Policy, the Anti-harassment Policy, the objectively reasonable standard, the preference for planned force, and references to the special needs populations.

The Department is in the process of modifying the Personal Performance Index ("PPI") system so that it will be able to track inmate grievances by deputies' names in PPI. In the interim, it is using the FAST system to track the grievances. The Department has now submitted a request to the Chief Executive's Office for \$3.0 million to implement the Commission's recommendation (3.8) to develop a single, reliable and comprehensive computer tracking system.

MANAGEMENT

The Sheriff's personal engagement has resulted in a number of reforms that have enhanced communications with, and respect for, inmates in the Los Angeles County jails. The new Assistant Sheriff for the Custody Division assumed her responsibilities on March 18, 2013, and reports directly to the Sheriff. The Sheriff has also appointed a

Chief of a new Internal Investigations Division to oversee the Internal Affairs and Internal Criminal Investigations Bureaus, and she also reports directly to him. The Sheriff is undertaking a further re-organization of the Department and the Commander to add another Assistant Sheriff who will be responsible for Administrative & Professional Standards. The Undersheriff no longer has any responsibility for the Custody Division or the disciplinary system under the Department's new organization, and he has announced his intention to retire, effective August 1, 2013.

The Department has submitted to the Consultants and me implementation plans, organization charts, and staffing proposals for a new Inspectional Services Command to audit and inspect the Department's adherence to its policies and procedures. It also has developed a Risk Assessment that ranks the critical issues for purposes of developing an initial audit plan. These plans and proposals will be refined in the next few months and the subject of further discussion that the Consultants and I will be having with the Department.

CULTURE

The Department has continued to emphasize respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody Division personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it has submitted to the Chief Executive's Office a staffing proposal for a new Custody Division Training Bureau to provide additional training to current Custody Deputy Sheriffs and Custody Assistants. The proposal is now under review by the Chief Executive's Office. The Department also has established a Dual Track Career Path that

provides deputies with opportunities for careers in the Custody Division and has enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, as a result of discussions I had with a Working Group formed to address the Commission's recommendations for the rotation of deputies, each of the Unit Commanders has issued a unit directive providing for the rotation of deputies and Custody Assistants who have regular contact with inmates, taking into consideration the unique configuration and inmate population of each facility.

PERSONNEL AND TRAINING

As noted, the Chief Executive's Office is reviewing the Department's staffing proposal for Custody Division Training Bureau that will develop a robust post-Academy training program. Through the hiring of a new Assistant Sheriff for the Custody Division, the Custody Division Training Bureau, and the Dual Track Career Path, the Department is moving towards the long-term goal of establishing a separate Custody Division staffed by well-trained personnel who want to have a career in Custody. The Department has taken the initial steps to add more Custody Assistants to achieve the 35/65 ratio of Custody Assistants to Deputy Sheriffs. The new Assistant Sheriff for the Custody Division has undertaken an assessment to determine how many additional sergeant and lieutenants the Custody Division needs.

DISCIPLINE

The Department has agreed to revamp its investigative and disciplinary system, which will increase the number of force investigations by the Internal Affairs Bureau and require that Administrative Investigations of possible misconduct not be conducted by deputies' supervisors. The Department has submitted proposals to increase the number

of Internal Affairs and Internal Criminal Investigation Bureau investigators, which the Consultants and I are evaluating. The Department has now put the Internal Affairs Bureau and the Internal Criminal Investigations Bureau in an Internal Investigations Division headed by a Chief who reports directly to the Sheriff; it has enhanced penalties for dishonesty and excessive force; and it precludes captains from holding in abeyance suspension days off without pay for misconduct involving dishonesty or excessive force.

The Custody Force Review Committee is rigorously reviewing Use of Force Packages. The Department has implemented a policy that mandates the use of the e-LOTS database to track the status of Use of Force packages on a weekly basis and to notify a supervisor if the package is overdue. The Department has submitted a request to the Chief Executive's Office for the funding of seven additional Compliance Lieutenants (one for both the North and South facilities and one for each of the other six facilities) to analyze inmate grievances, monitor and track force reviews, and conduct Administrative Investigations of possible deputy misconduct. Finally, the revision of the Force Manual will make the provisions regarding the review of video tapes by deputies and the separation of deputies following force incidents clearer.

LOOKING FORWARD

The revisions of the Use of Force Manual should be completed and approved shortly. The Department's funding requests to create the Custody Division Training Bureau, to add seven Compliance Lieutenants to monitor and conduct force investigations, and to develop a single, comprehensive and reliable computer tracking system are under review by the Chief Executive's Office. Over the next month, the Consultants and I will work with Department to assess the resources needed for the

Inspectional Services Command, the Internal Affairs Bureau, and the Internal Criminal Investigations Bureau to fully implement the Commission's recommendations regarding the investigative and disciplinary system. The Consultants and I will then submit our analysis of these requests to the Chief Executive's Office.

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
USE OF FORCE	3.1	Comprehensive and easy-to-understand Use of Force policy in single manual	Partial	NC	NC	NC
	3.2	LASD personnel should be required to read and understand the new UOF policy	Implemented	NC	NC	NC
	3.3	LASD personnel should receive training on the new UOF policy	Implemented	NC	NC	NC
	3.4	The Use of Force policy should reflect Force Prevention and anti-retaliation policies	Implemented	NC	NC	NC
	3.5	The Use of Force policy should be based upon objectively reasonable standards	Partial	NC	NC	NC
	3.6	The Use of Force policy should reflect preference for planned, supervised, and directed force	Partial	NC	NC	NC
	3.7	The Use of Force policy should account for special needs populations	Partial	NC	NC	NC
	3.8	LASD should have a single, reliable and comprehensive data tracking system	Not started	NC	NC	In progress
	3.9	Inmate grievances should be tracked in PPI by names of LASD personnel	In progress	NC	NC	NC
	3.10	LASD should analyze inmate grievances regarding use of force incidents	Partial	NC	NC	NC
	3.11	Use of force statistical data must be tracked and analyzed in real time by management	Implemented	NC	NC	NC
	3.12	LASD should purchase additional body scanners	In progress	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
MANAGEMENT	4.1 Personal engagement by Sheriff in oversight of jails	Implemented	NC	NC	NC
	4.2 High level managers must be accountable for failing to address use of force problems	In progress	NC	NC	NC
	4.3 The Undersheriff should not have any responsibility for custody or discipline	Implemented	NC	NC	NC
	4.4 LASD should create a new Assistant Sheriff position for Custody	In progress	Implemented	NC	NC
	4.5 The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	In progress	Implemented	NC	NC
	4.6 The Custody Assistant Sheriff should report directly to the Sheriff	Implemented	NC	NC	NC
	4.7 The Commander Management Task Force should not be a part of Custody management	Implemented	NC	NC	NC
	4.8 The Sheriff must monitor the use of force in the jails	Implemented	NC	NC	NC
	4.9 LASD should utilize the Sheriff's Critical Incident Forum (SCIF) in Custody	Implemented	NC	NC	NC
	4.10 Senior management must be more visible in the jails	Implemented	NC	NC	NC
	4.11 Operations support should be allocated based unique needs of each facility	In progress	NC	NC	NC
	4.12 LASD should created an Internal Audit and Inspection Division under a single Chief	In progress	NC	NC	NC
	4.13 LASD should have a policy regarding campaign contributions	In progress	Implemented	NC	NC
	4.14 LASD should participate in the Large Jail Network	Implemented	NC	NC	NC
CULTURE	5.1 LASD must emphasize respect for, and communications with, inmates	Implemented	NC	NC	NC
	5.2 Force prevention policy should be stressed in Academy and Custody Division training	Partial	NC	NC	NC
	5.3 Ethics training should be enhanced in Academy and Custody Division training	Partial	NC	NC	NC
	5.4 Custody should be a valued and respected assignment and career	In progress	Implemented	NC	NC
	5.5 Senior leaders must be more visible in the jails	Implemented	NC	NC	NC
	5.6 LASD must have a zero tolerance policy for acts of dishonesty	In progress	NC	Implemented	NC
	5.7 LASD should have a sensible rotation policy	In progress	Partial	NC	Implemented
	5.8 LASD should discourage participation in cliques	Partial	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

PERSONNEL AND TRAINING	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
	6.1	LASD should revise its policies to reflect Custody's importance to Department	In progress	Partial	NC	NC
	6.2	LASD should develop and implement a long-range and steady hiring plan	Implemented	NC	NC	NC
	6.3	Custody personnel should receive significantly more Custody-specific training	Partial	NC	NC	NC
	6.4	There should be a meaningful probationary period for Custody deputies	Implemented	NC	NC	NC
	6.5	LASD should increase the number of Custody supervisors	Not started	NC	NC	In progress
	6.6	LASD should provide for careers in custody	In progress	Implemented	NC	NC
	6.7	LASD should utilize more custody assistants	In progress	NC	NC	NC
	6.8	LASD should implement rotations within and among proximate facilities	In progress	Partial	NC	Implemented
	6.9	LASD should change its Mission Statement to reflect importance of Custody	Implemented	NC	NC	NC
	6.10	LASD should create a separate Custody Division	In progress	Partial	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped	In progress	NC	NC	NC
	7.2	The CFRC should monitor force packages	Implemented	NC	NC	NC
	7.3	Preclude deputies from reviewing videos before reporting use of force	Partial	NC	NC	NC
	7.4	Separate deputies involved in significant use of force incidents	Partial	NC	NC	NC
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	In progress	NC	Implemented	NC
	7.6	IAB should be appropriately valued	In progress	Partial	NC	NC
	7.7	There should be enhanced penalties for excessive force and dishonesty	In progress	NC	Implemented	NC
	7.8	There should be a Risk Manager assigned to each custody facility	In progress	NC	NC	NC
	7.9	Force investigations should not be conducted by deputies' supervisors	In progress	NC	NC	NC
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance	In progress	NC	Partial	NC
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	Implemented	NC	NC	NC
	7.12	LASD should have an enhanced system to track force investigations	In progress	NC	NC	Implemented
	7.13	Inmate use of force complaints should be tracked in PPI	In progress	NC	NC	NC
	7.14	LASD should improve the inmate grievance process	In progress	NC	NC	NC
	7.15	Increased use of Lapel Cameras	In progress	NC	NC	NC
OVERSIGHT	8.2	The Sheriff should regularly report to the Board of Supervisors	Implemented	NC	NC	NC